

26-25-1 Authority to provide data on treatment and condition of persons to designated agencies -- Immunity from liability.

- (1) Any person, health facility, or other organization may, without incurring liability, provide the following information to the persons and entities described in Subsection (2):
 - (a) information as determined by the state registrar of vital records appointed under Title 26, Chapter 2, Utah Vital Statistics Act;
 - (b) interviews;
 - (c) reports;
 - (d) statements;
 - (e) memoranda;
 - (f) familial information; and
 - (g) other data relating to the condition and treatment of any person.
- (2) The information described in Subsection (1) may be provided to:
 - (a) the department and local health departments;
 - (b) the Division of Substance Abuse and Mental Health within the Department of Human Services;
 - (c) scientific and health care research organizations affiliated with institutions of higher education;
 - (d) the Utah Medical Association or any of its allied medical societies;
 - (e) peer review committees;
 - (f) professional review organizations;
 - (g) professional societies and associations; and
 - (h) any health facility's in-house staff committee for the uses described in Subsection (3).
- (3) The information described in Subsection (1) may be provided for the following purposes:
 - (a) study and advancing medical research, with the purpose of reducing the incidence of disease, morbidity, or mortality; or
 - (b) the evaluation and improvement of hospital and health care rendered by hospitals, health facilities, or health care providers.
- (4) Any person may, without incurring liability, provide information, interviews, reports, statements, memoranda, or other information relating to the ethical conduct of any health care provider to peer review committees, professional societies and associations, or any in-hospital staff committee to be used for purposes of intraprofessional society or association discipline.
- (5) No liability may arise against any person or organization as a result of:
 - (a) providing information or material authorized in this section;
 - (b) releasing or publishing findings and conclusions of groups referred to in this section to advance health research and health education; or
 - (c) releasing or publishing a summary of these studies in accordance with this chapter.
- (6) As used in this chapter:
 - (a) "health care provider" has the meaning set forth in Section 78B-3-403; and
 - (b) "health care facility" has the meaning set forth in Section 26-21-2.

Amended by Chapter 3, 2008 General Session